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LB 489

SENATOR CUDABACK: Thank you, Senator Brashear. As Chairman of the Judiciary Committee, Senator Brashear, you are recognized to open on committee amendments to LB 489.

SENATOR BRASHEAR: Mr. President, thank you. Members of the body, the committee amendment makes three changes to the bill, all of which continue to further the bill's intent. First, the amendment provides that the statute of repose for products manufactured outside of Nebraska shall be, at a minimum, ten years. A handful of states have statute of repose that are less than ten years and the amendment would ensure that any statute of repose that is imported to Nebraska is at least that which Nebraska itself provides. Second, the amendment clarifies that for products manufactured in states or countries that have no statute of repose, the only time limitation for a party commencing an action shall be the statute of limitations, as I mentioned in my opening. Third, the amendments contain a severability clause. The severability clause specifies that if any part of the subsection pertaining to the statute of repose is found to be unconstitutional or otherwise invalid, the law regarding the statute of repose as it presently exists in Nebraska shall be continued. In other words, we would revert to the now existing law, and that reversion would apply in cases in which a final order has not been entered. With that, Mr. President, I would urge the adoption of the committee amendments. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. You've heard the opening on the committee amendments to LB 489. We are now open for discussion on those amendments. Seeing no lights on, Senator Brashear, did you wish to close on those amendments? There are no...

SENATOR BRASHEAR: Thank you, Mr. President. I'll waive closing.

SENATOR CUDABACK: Senator Brashear waives closing. The question before the body is, shall the committee amendments be adopted to LB 489? All in favor vote aye, opposed nay. We're voting on the committee amendments to LB 489. Have you all voted who care to? Record, please, Mr. Clerk.